

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

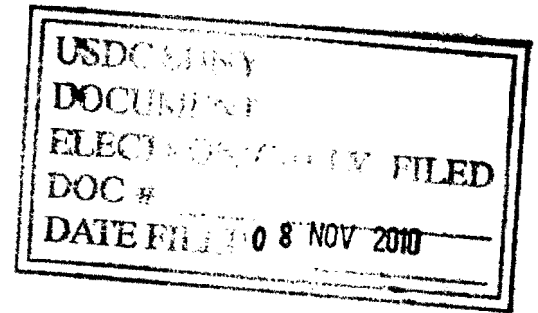
CONVOLVE, INC. and MASSACHUSETTS
INSTITUTE OF TECHNOLOGY,

Plaintiffs,

-against-

COMPAQ COMPUTER CORPORATION and
SEAGATE TECHNOLOGY LLC,

Defendants.



Case No. 00 CIV 5141 (GBD) (JCF)

DENIED

George B. Daniels
JUDGE GEORGE B. DANIELS
08 NOV 2010

ORDER TO SHOW CAUSE

Upon the annexed Affidavit of James T. Bailey, sworn to on November 8, 2010, and the exhibits attached thereto, and upon the accompanying "Plaintiffs' Memorandum of Law Supporting Their Application, By Order to Show Cause, For Immediate Relief Necessitated by Seagate Technology's Announcement of a Preliminary Indication of Interest in a Going Private Transaction", dated November 8, 2010, it is

ORDERED, that defendants Seagate Technology LLC and Compaq Computer Corporation show cause at Courtroom 21D of the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City, County, and State of New York, on November 10, 2010, at ___ a.m./p.m., or as soon thereafter as they may be heard why an order should not issue:

1. Setting an expedited trial date and expedited schedule for completion of the Pretrial Order;
2. Directing Seagate to give assurances to the Court and to plaintiffs that reserves in an amount sufficient to satisfy damages and discretionary prejudgment interest (exclusive of enhanced damages and attorneys' fees) claimed against Seagate, will be maintained in the event of a consummated Seagate leveraged buyout;

3. Directing defendants to show cause why the record on summary judgment is not closed, and the summary judgment motions should not be decided forthwith, if that is their position;

4. Scheduling an expedited hearing on these matters; and

5. Granting such other relief as may be appropriate in these circumstances; and it is further

ORDERED, that defendants shall serve and file their respective responses to the Order to Show Cause, if any, on or before ____ a.m./p.m., on November __, 2010; and it is further

ORDERED, that plaintiffs shall serve and file their reply to defendants' responses, if any, on or before ____ a.m./p.m., on November __, 2010.

Dated: New York, New York
November __, 2010

United States District Judge